

David Spears (DS-2720)  
Richards Spears Kibbe & Orbe LLP  
One World Financial Center  
New York, New York 10281  
Telephone: 212-530-1800  
Fax: 212-530-1801

Craig Margolis (*pro hac vice*)  
Vinson & Elkins LLP  
The Willard Office Building  
1455 Pennsylvania Avenue NW, Suite 600  
Washington, DC 20004  
Telephone: 202-639-6540  
Fax: 202-639-6604

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :  
  
v. : 05 Cr. 888 (LAK) (ALL) (ECF)  
  
JEFFREY STEIN, et al. : **NOTICE OF MOTION**  
Defendants. :  
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PLEASE TAKE NOTICE that upon the accompanying Memorandum Of Law In Support Of Pre-Trial Motions Of Jeffrey Stein, and all prior pleadings and proceedings, Defendant Jeffrey Stein will move this Court, before the Honorable Lewis A. Kaplan, United States District Judge, at the United States Courthouse, 500 Pearl Street, Courtroom 12D, New York, New York 10007, at a date to be determined by the Court, or as soon thereafter as counsel may be heard, for an Order (i) dismissing Counts Two through Forty of the Superseding Indictment for lack of venue pursuant to Rule 18 of the Federal Rules of Criminal Procedure; (ii) severing Counts Two through Forty of the Superseding Indictment and certain Defendants from Defendant Jeffrey Stein pursuant to Rules 8(b) and 14(a) of the Federal Rules of Criminal Procedure; (iii)

compelling the government to provide Defendant Jeffrey Stein with a bill of particulars pursuant to Rule 7(f) of the Federal Rules of Criminal Procedure; and (iv) for such other and further relief as may be just, proper and equitable.

Dated: New York, New York  
January 12, 2006

RICHARDS SPEARS KIBBE & ORBE LLP

By: /s/ David Spears  
David Spears (DS-2720)

One World Financial Center  
New York, New York 10281  
(212) 530-1800

VINSON & ELKINS LLP  
Craig Margolis (*pro hac vice*)  
The Willard Office Building  
1455 Pennsylvania Avenue NW, Suite 600  
Washington, DC 20004  
(202) 639-6540

Attorneys for Defendant Jeffrey Stein